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Attorneys for Ad Hoc Committee of Asbestos Personal Injury Claimants

#### UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re		:	
		:	Chapter 11
Dana Corporation, et a	al.,	:	-
- ,	•	:	Case No. 06-10354 (BRL)
		•	(Jointly Administered)
	Debtors.	:	•
		· x	

#### AMENDED NOTICE OF APPEAL

Pursuant to 28 U.S.C. § 158(a), the Ad Hoc Committee of Personal

Injury Asbestos Claimants<sup>1</sup> (the "Ad Hoc Committee"), by and through its

<sup>&</sup>lt;sup>1</sup> The Ad Hoc Committee of Personal Injury Asbestos Claimants consists of James J. Demahy, Individually and as the Independent Executrix of the Estate of Lydia Demahy, deceased, represented by Bryan O. Blevins, Jr., Provost Umphrey Law Firm L.L.P., Beaumont, Texas; Estelle Moore, Personal Representative of the Estate of Royce Wilfred

The parties to the order appealed from and the names, addresses and telephone numbers of their respective attorneys are as follows:

Moore, represented by Russell Budd and Natalie Duncan, Baron & Budd, P.C., Dallas, Texas; John Hellen, Personal Representative of the Estate of Harwood Hellen, deceased, represented by Brent Coon and Lou Thompson Black, Brent Coon & Associates, Beaumont and Houston, Texas and Cleveland, Ohio; Robert Haun, represented by Steven Kazan, Kazan, McClain, Abrams, Lyons & Greenwood, A Professional Law Corporation, Oakland, California; George Winter represented by Al Brayton, Brayton Purcell, Novato and Los Angeles, California, Portland, Oregon, and Salt Lake City, Utah; and Charles Kloock represented by Thomas M. Wilson, Kelley & Ferraro, LLP, Cleveland, Ohio.

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Counsel for Certain Asbestos-Related Personal Injury Plaintiffs

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Dated: November 26, 2007 New York, New York

Respectfully submitted,

/s/ Douglas T. Tabachnik Douglas T. Tabachnik, Esq. (DT 6337) LAW OFFICES OF DOUGLAS T. TABACHNIK Suite C Woodhull House 63 West Main Street Freehold, New Jersey 07728

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ATTORNEYS FOR THE AD HOC COMMITTEE OF ASBESTOS PERSONAL INJURY CLAIMANTS

### **EXHIBIT A**

## UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

# ORDER, PURSUANT TO SECTIONS 105(a) AND 363 OF THE BANKRUPTCY CODE AND BANKRUPTCY RULE 9019(a), APPROVING CERTAIN SETTLEMENT AGREEMENTS BETWEEN DANA CORPORATION AND CERTAIN ASBESTOS-RELATED PERSONAL INJURY PLAINTIFFS

This matter coming before the Court on the Motion of Debtor Dana Corporation for an Order, Pursuant to Sections 105(a) and 363 of the Bankruptcy Code and Bankruptcy Rule 9019(a), Approving Certain Settlement Agreements Between Dana Corporation and Certain Asbestos-Related Personal Injury Plaintiffs (the "Motion"), filed by Dana Corporation ("Dana"), one of the above-captioned debtors and debtors in possession (collectively, the "Debtors"); the Court having reviewed the Motion and The Ad Hoc Committee of Asbestos Personal Injury Claimants' Objection to Motion of Debtor Dana Corporation for an Order, Pursuant to Sections 105(a) and 363 of the Bankruptcy Code and Bankruptcy Rule 9019(a), Approving Certain Settlement Agreements Between Dana Corporation and Certain Asbestos-Related Personal Injury Plaintiffs and Motion to continue the Hearing on the Settlement Agreements Until the Ad Hoc Committee Has the Opportunity to Review Those Agreements (the "Objection"); the Court having heard the evidence presented in support of the Motion and the statements of counsel regarding the relief requested in the Motion at a hearing before the Court

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Capitalized terms not otherwise defined herein have the meanings given to them in the Motion.

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(the "Hearing"); and the Court having determined that the legal and factual bases set forth in the

Motion and at the Hearing establish just cause for the relief granted herein; the Court finding that

(a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (b) this is a

core proceeding pursuant to 28 U.S.C. § 157(b)(2), (c) notice of the Motion and the Hearing was

adequate under the circumstances, (d) the Settlement Agreements provide a fair and reasonable

resolution of the settling Asbestos Personal Injury Claimants' alleged claims, (e) the Settlement

Agreements are fair, reasonable and in the best interests of Dana's estate and (f) a sound business

purpose exists for Dana's entry into and performance under the Settlement Agreements; and the

Court having determined that the legal and factual bases set forth in the Motion and at the

Hearing establish just cause for the relief granted herein;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED. The Objection is OVERRULED.

Each of the Settlement Agreements is hereby approved in its entirety. 2.

Dana's entry into and performance under the Settlement Agreements pursuant to sections 105(a)

and 363 of the Bankruptcy Code and Bankruptcy Rule 9019, is approved.

3. Dana is authorized to take any and all actions and to execute any and all

documents that it deems necessary or appropriate in connection with the Settlement Agreements.

Dated: New York, New York

November 15, 2007

/s/Burton R. Lifland

UNITED STATES BANKRUPTCY JUDGE

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